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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/276,935
Filing Date	March 26, 1999
First Named Inventor	Kliwer
Art Unit	1646
Examiner Name	M. Pak
Attorney Docket Number	PU 3474 US2

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to 8.

1. Submission required under 37 CFR §1.114
- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Sequence List Sequence List disk & Statement

2. Miscellaneous
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-1392
- i. ☒ RCE fee required under 37 CFR §1.17(e)
- ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Michael M. Conger	Registration No. (Attorney / Agent)	43,562
Signature	<i>Michael M. Conger</i>	Date	11/27/02

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

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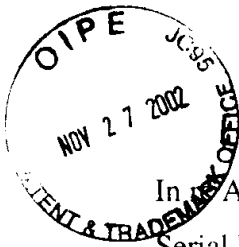
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of: Kleiwer et al.

Serial No.: 09/276,935

Examiner: Michael Pak

Filing Date: March 26, 1999

Art Unit: 1646

For: AN ORPHAN NUCLEAR RECEPTOR

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Commissioner for Patents and Trademarks

Washington D.C. 20231

SUBMISSION UNDER 37 CFR 1.114

AMENDMENT

This communication satisfies the requirement of a submission under 37 CFR 1.114 for Applicants' request for continued examination. Further, this communication is responsive to the Office Action mailed 29 July 2002 in the above referenced Patent Application. Applicant request a one month extension of time and provide a petition herewith for the same.

In the Office Action, the Examiner has withdrawn claims 26, 36 and 40 as being directed to a non-elected invention. Claims 10, 25, 27-35 and 37-39 are pending. The Examiner rejects claims 10, 25, 27-35 and 37-39 under 35 USC 112 second paragraph as being indefinite for failing to point out and distinctly claim the subject matter that Applicant regards as the invention.

IN THE CLAIMS

Please cancel claims 26, 36 and 40 drawn to a non-elected invention and cancel claims 31-33, which are dependent on claim 26. Applicant reserves the right to pursue claims drawn to non-elected inventions in related divisional applications.

Please cancel claim 27 without prejudice.

Please amend claim 10 to read as shown below.